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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,072	02/20/2002	Hajime Kimura	SEL 305	6987

7590 09/01/2004

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EXAMINER

TRAN, HENRY N

ART UNIT PAPER NUMBER

2674

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/079,072	Applicant(s) KIMURA, HAJIME	
	Examiner HENRY N TRAN	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4,7-18,20,21,23,24,26,27 and 33-54 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,19,22,25 and 28-32 is/are rejected.
- 7) ☒ Claim(s) 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ⁸ | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/6/02</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Applicant's Preliminary Amendment received 2/20/02 has been entered. Claims 1-54 are pending. The Application has been examined with the following results.

Information Disclosure Statement

2. The examiner has considered the references provided with the information disclosure statement (IDS) received 6/6/02 (see the attached form PTO-1449).

Claim Objection

3. Claim 25 is objected to because of the following informalities: the claim number is erroneously identified as 256 (New). It should be changed to --25 (New)--. Appropriate correction is required.

For the purpose of this Office action, the examiner assumes that it is changed to --25 (New)--.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 2, 5, 6, 22 and 25 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure, which is not enabling. The claimed terms: "a first wiring" and "a second wiring", which are recited in lines 1 of the independent claims 1 and 2, are critical or essential to the practice of the invention, but not included in the claims is not enabled by the disclosure. See *In*

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re Mayhew, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). The specification does not provide a full, clear, concise, and exact written description for the above identified claimed terms.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, 5-6, 19, 22-25, and 28-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Regarding claims 1, 2, 5, 6, 22 and 25 recite the limitations: “a first wiring” and “a second wiring” in lines 1 of the independent claims 1 and 2. There is insufficient antecedent basis for this limitation in the claim and/ or the specification.

For the purpose of this Office action, the examiner assumes that the: “a first wiring” and “a second wiring” are read as a conductive or wiring line. Applicant is required to affirm or reverse this assumption in response to this Office action.

7. Claims 19 and 28-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. The phrases “can be” in the claimed terms “utilized for producing light emission.” in lines 3 render the claims indefinite. The scope of the claimed inventions are unclear.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nishigaki (U.S. Patent No. 6,246,180).

Nishigaki teaches a flat panel display system comprising: an active matrix light emitting device comprising an OLED 12, a ground wiring 14, a first TFT 15 (a drive transistor 15), and a second TFT 20 (a blanking transistor 20), wherein, the pixel electrode OLED 12 connected with the first wiring and the second wiring, which is the ground wiring 14, through the first and second TFTs 15 and 20, respectively; wherein, the TFT 15 is on while the TFT 20 is off, and inversely; and the switching of the TFTs 15 and 20 are controlled by a digital video signal provided by the signal line 18, see fig. 4, col. 3, lines 27-50; col. 4, lines 31-55.

Allowable Subject Matter

9. Claims 3, 4, 7-18, 20-21, 23-24, 26-27 and 33-54 are allowed.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are U.S. Patents Nos.: 6753656, 6730966, 6091203, 5731795, 6229506, and 5952789 for teachings of light emitting devices having TFTs for controlling OLEDs.

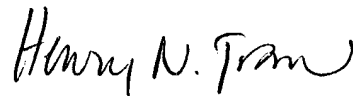
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N TRAN whose telephone number is 703-308-8410.

The examiner can normally be reached on M-F 7:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A HJERPE can be reached on 703-305-4709. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HENRY N TRAN
Primary Examiner
Art Unit 2674

8/30/04